

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

L.B. and M.B., individually and on  
behalf of their minor child A.B.; C.M.  
and A.H., individually and on behalf of  
their minor child J.M.; and on behalf of  
others similarly situated,

Plaintiffs,

v.

PREMERA BLUE CROSS,

Defendant.

C23-0953 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable  
Thomas S. Zilly, United States District Judge:

(1) Plaintiffs' motion to seal, docket no. 37, is GRANTED in part,  
DEFERRED in part, and RENOTED as follows:

(a) Plaintiffs' motion is GRANTED as to the deposition transcripts of  
Drs. Abernathey and Morrison. Plaintiffs have set forth a compelling reason to keep  
court records sealed. *Cf. Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1179  
(9th Cir. 2006). Accordingly, Exhibits K & P to the Declaration of Eleanor Hamburger,  
docket nos. 47 & 47-1, and Plaintiffs' motion for partial summary judgment, docket no.  
43, shall remain sealed.

(b) Plaintiffs' motion is DEFERRED as to Exhibits CC & FF to the  
Declaration of Eleanor Hamburger, docket nos. 47-2 & 47-3. Plaintiffs filed Exhibits CC  
& FF under seal solely because they were designated as confidential by Defendant, and  
Plaintiffs otherwise objects to the sealing of Exhibits CC & FF. *See* Mot. at 4 (docket

1 no. 37). Defendant has not filed a response supporting the sealing of Exhibits CC & FF.  
2 Accordingly, Plaintiffs' motion to seal is RENOTED to September 6, 2024. Defendant is  
3 DIRECTED to file a response to the motion by the new noting date outlining why  
4 Exhibits CC & FF should remain under seal; no reply is necessary unless ordered by the  
5 Court. If Defendant fails to file a response by the new noting date, Exhibits CC & FF  
6 will be unsealed.

7 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of  
8 record.

9 Dated this 29th day of August, 2024.

10 Ravi Subramanian

11 Clerk

12 s/Laurie Cuaresma

13 Deputy Clerk